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Women's Gains at Risk in Afghanistan¹

M. Ashraf Haidari

Afghan women have now regained most of the freedoms that they lost under the Taliban's gender apartheid, which ended seven years ago. Women have played a constructive role in each political process from the Bonn conference (2001) to the emergency and constitutional Loya Jirgas (2002-2004) to the presidential and parliamentary elections (2004-2005). Their participation in these historic processes has not only helped Afghanistan to establish its key state institutions but also has ensured that women secure equality to men in leading these institutions in the future.

The Afghan government is committed to women's constitutional rights and their implementation as evidenced by various mechanisms established in the government so far. The Afghan ministry of women's affairs was created to manage the formulation of government-wide gender policies and their execution through line ministries. Headed by a woman, the ministry currently has about 1,200 staff in Kabul and across 28 of its provincial directorates.

In January 2002, President Karzai surprised women's rights advocates by signing the declaration of the essential rights of Afghan women, which some 300 Afghan women from various exile countries had drafted in the capital of Tajikistan in June 2000. The declaration encouraged Afghan women from across the country to gather symbolically in Kandahar province – the birthplace of the Taliban – to adopt the Afghan women's bill of rights in September 2003.

At that historic gathering, Afghan women resolved to strive towards not only including the bills' provisions in the new Afghan constitution but also ensuring their implementation afterwards. They did succeed, as article 22 of the constitution affirms women's equality to men before the law, and article 83 guarantees women 27 percent of the seats in the lower house and 17 percent of the seats in the upper house of the Afghan parliament.

Beyond the constitutional guarantees, Afghan women set out to participate and campaign hard in the national elections. More than 40% of the registered Afghan

¹ The above article is based on the author's remarks in the U.S.-Afghan Women's Council meeting attended by First Lady Laura Bush and chaired by Undersecretary of State for Democracy and Global Affairs Paula Dobriansky on January 18, 2008 at Georgetown University.

women turned out to vote in the presidential elections in 2004 and more than 50% of women risked their lives to vote in the parliamentary elections in 2005.

In spite of their continued landmark achievements, however, Afghan women still constitute one of the most vulnerable groups in Afghanistan, along with Afghan children and the disabled. Worsening security and violence threaten the many gains that Afghan women have painfully made over the past seven years. The Taliban have been able to regroup and expand their presence in the countryside where 80% of women live and where the terrorists daily carry out suicide attacks against military and soft targets. Taliban fighters have killed female teachers and burned down hundreds of schools, depriving more than 300,000 girls of education in the south and east of Afghanistan. The extremists will continue their campaign of terror in Afghanistan so long as their leadership remains intact in the border regions of Pakistan where they find easy sanctuary, arms, and ideological support.

Insecurity in Afghanistan is also due to a lack of international financial assistance, a problem that has resulted in weak state institutions. For example, of the overall \$35 billion in international pledged assistance, \$14.5 billion has been actually disbursed – out of which only \$4.2 billion has been channeled through the Afghan government with the rest delivered via donor-related NGOs and private contractors.

Therefore, without capacity and resources, most of Afghanistan's state institutions – including those focused on women – are unable to enforce the adopted legal framework, provide basic public services, and generate employment for the people.

The justice sector, for instance, remains severely under-reformed and lacks capacity to provide legal protection for women under Afghanistan's progressive laws. In Afghanistan, a country of roughly 25 million people where more than half of citizens are women and children, there are only 60 female judges, 35 female prosecutors, 70 female attorneys, and no female defense attorneys. Less than half of these women hold a four-year degree, which may not be in a legal field. And those women who do show up to work lack a physical office with proper equipment. In the Western province of Herat, for example, female attorneys take great personal risk to work out of grocery stores to help provide legal protection and services to women.

It is important to keep in mind that women are the pillars of any society, including Afghanistan. No nation has ever rebuilt or fully developed without the participation of women. Through enhanced attention to women's needs, more than half of the Afghan population can be empowered to make a significant

contribution to Afghanistan's rebuilding and long-term development. Afghan women have made considerable progress since the end of the Taliban's unforgiving gender apartheid seven years ago. They will continue to do so as long as the international community stands by them to ensure gender equality in Afghan society over the long term.

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